



State of New York County of Broome Government Offices

Department of Planning and Economic Development

Jason T. Garnar, County Executive · Beth Lucas, Director

October 28, 2021

Supervisor John Schaffer
PB Chair Madeleine Cotts
ZBA Chair Mark Tomko
Town of Vestal
605 Vestal Parkway West
Vestal, NY 13850

RE: Review Pursuant to Section 239-l and -m of the General Municipal Law

Dear Supervisor Schaffer, Chair Cotts, and Chair Tomko:

The Broome County Department of Planning and Economic Development has received your request for review of the below captioned matter:

Applicant: North Star Group, LLC
Project: Site Plan Review, Use Variance, Special Use Permit: River's Edge Park and walking trail site plan review, use variance for park in C-2, special use permit from Town Board for park in TN at 4629 – 4721 Vestal Parkway East
Municipality: Town of Vestal
Tax Map No: 159.15-1-8 to 159.1-34
BC Case: 239-2021-147

The Planning Department has reviewed the above-cited case and has not identified any significant countywide or inter-community impacts associated with the proposed project provided the project complies with all Conservation Easement, NYSDOT, and other applicable agency requirements. However, the site plan is marked as schematic. We request to review and comment on the final site plan and documents, as necessary. In addition, we have the following comments on the schematic site plan:

- The Town should ensure that the submittal documents the correct zoning and includes the 239-nn notice to the City of Binghamton, SHPO determination, and USACOE consultation.
- The Town should verify that the project does not fall within thresholds for designation as a Type 1 action under SEQR, requiring a Full EAF, due to the historic nature of the site. See SEQR 617.4 (b) (2) and (6) (i), (9), and (10).

In addition, the SEQR should provide a more complete project description; document the Conservation Easement and all required approvals; ensure consistent acreage in all documents; document the Rivercrest State Historic District, canal, towpath, potential archaeological resources, floodplains, drainage, and stormwater management; and incorporate all required final documents, including the SWPPP; SHPO determination; archaeological study; USACOE consultation, permits, and wetland delineation; New York State Land Trust Alliance Program plans; and Conservation Easement plans, such as the Park Master Plan and Vegetation Management Plan, as necessary.

- The project should include before and after renderings and views to and from the project site; interpretive and educational signage; historical markers for the canal, towpath, and Rivercrest State Historic District; landscaping and pedestrian furniture between the trail and frontage; landscaping in the parking area; and attractive benches, lighting, and structures (such as restroom facilities and maintenance structures as necessary) consistent with the Conservation Easement.
- The final site plan should show the following:

Broome County Office Building · 60 Hawley Street · P.O. Box 1766 · Binghamton, New York 13902
Phone: (607) 778-2114 · Fax (607) 778 -2175 · www.gobroomecounty.com

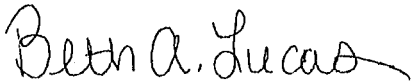
- o NYSDOT requirements (see NYSDOT comments)
- o details for all elements of the final site plan, including area of disturbance; tree removal; grading; drainage; stormwater management; benches; landscaping; signage; and any lighting, restroom facilities, utilities, waste disposal facilities, and other structures, consistent with the Conservation Easement
- o Conservation Easement notes and plans, as necessary
- o ADA compliance
- o Existing gateway sign
- o floodplain

The case file was routed to the Binghamton Metropolitan Transportation Study (BMTS), New York State Department of Transportation (NYSDOT), Broome County Department of Public Works (DPW), Broome County Health Department (BCHD), and Broome County Transit (BCT). Enclosed are comments from BMTS, NYSDOT, and DPW that need to be addressed. BCHD had no comments and BCT had no objection (see BCT comments).

Please submit a copy of your decision in this case within seven (7) days of taking action so it can be included in the case record.

Thank you for your cooperation.

Sincerely,



Beth Lucas
Director

BL/lmz

cc: Vernon Myers, P.E., Town Engineer, Town of Vestal, Engineering Department
Lincoln Ellis, Code Enforcement Officer, Town of Vestal
BC file copy

Zier, Lora M.

From: Zier, Lora M.
Sent: Thursday, October 21, 2021 12:27 PM
To: Vernon Myers
Cc: Lincoln Ellis
Subject: BMTS Comments FW: 239-2021-147 Vestal SP UV SUP Trail FW: 239 Submission River's Edge Park/Walking Trail 4629-4721 Vestal Parkway East

Vern:

Please see the BMTS comments from Leigh McCullen below for this project.

Sincerely,
Lora Zier
Senior Planner
Broome County Department of
Planning and Economic Development
Telephone: (607) 778-2114
Lora.Zier@BroomeCounty.US

From: McCullen, Leigh A. <Leigh.McCullen@BroomeCounty.US>
Sent: Thursday, October 21, 2021 12:20 PM
To: Zier, Lora M. <Lora.Zier@BroomeCounty.US>
Subject: RE: 239-2021-147 Vestal SP UV SUP Trail FW: 239 Submission River's Edge Park/Walking Trail 4629-4721 Vestal Parkway East

BMTS supports NYSDOT recommendations.

Leigh McCullen

From: Murphy, Sean W. (DOT) <Sean.Murphy@dot.ny.gov>
Sent: Tuesday, October 12, 2021 5:15 PM
To: Zier, Lora M. <Lora.Zier@BroomeCounty.US>; McCullen, Leigh A. <Leigh.McCullen@BroomeCounty.US>; Yonkoski, Jennifer L. <Jennifer.Yonkoski@BroomeCounty.US>; Gowe, Brenda L. <Brenda.Gowe@BroomeCounty.US>; Lavrinovich, Eduard V. <Eduard.Lavrinovich@BroomeCounty.US>; Boulton, Leslie G. <Leslie.Boulton@BroomeCounty.US>; Laine, Matthew J. <Matthew.Laine@BroomeCounty.US>; Kilmer, Gregory B. <Gregory.Kilmer@BroomeCounty.US>
Cc: Sloan, Gillian S. <Gillian.Sloan@BroomeCounty.US>; Sperski, Rick (DOT) <Rick.Sperski@dot.ny.gov>; Phillips, Thomas D. (DOT) <Thomas.Phillips@dot.ny.gov>; Bump, Christopher (DOT) <Christopher.Bump@dot.ny.gov>; Niederriter, Cathy (DOT) <Cathy.Niederriter@dot.ny.gov>; Conn, Jamie (DOT) <Jamie.Conn@dot.ny.gov>; Newby, Jillian (DOT) <Jillian.Newby@dot.ny.gov>; Vergason, Scott (DOT) <Scott.Vergason@dot.ny.gov>
Subject: RE: 239-2021-147 Vestal SP UV SUP Trail FW: 239 Submission River's Edge Park/Walking Trail 4629-4721 Vestal Parkway East

Lora:

Please find the attached letter outlining the Regional Site Plan Committee's comments regarding the above proposal.

Thanks,

Zier, Lora M.

From: Gowe, Brenda L.
Sent: Monday, October 18, 2021 12:54 PM
To: Zier, Lora M.
Cc: Boulton, Leslie G.; Lavrinovich, Eduard V.
Subject: RE: 239-2021-147 Vestal SP UV SUP Trail FW: 239 Submission River's Edge Park/Walking Trail 4629-4721 Vestal Parkway East

Lora,

I have reviewed this package as well as the comments provided by NYSDOT – I will defer to their comments as there is no County Infrastructure involved.

Thanks,
Brenda

From: Zier, Lora M. <Lora.Zier@BroomeCounty.US>
Sent: Wednesday, October 06, 2021 10:35 AM
To: McCullen, Leigh A. <Leigh.McCullen@BroomeCounty.US>; Yonkoski, Jennifer L. <Jennifer.Yonkoski@BroomeCounty.US>; 'sean.murphy@dot.ny.gov' <sean.murphy@dot.ny.gov>; Gowe, Brenda L. <Brenda.Gowe@BroomeCounty.US>; Lavrinovich, Eduard V. <Eduard.Lavrinovich@BroomeCounty.US>; Boulton, Leslie G. <Leslie.Boulton@BroomeCounty.US>; Laine, Matthew J. <Matthew.Laine@BroomeCounty.US>; Kilmer, Gregory B. <Gregory.Kilmer@BroomeCounty.US>
Cc: Sloan, Gillian S. <Gillian.Sloan@BroomeCounty.US>
Subject: 239-2021-147 Vestal SP UV SUP Trail FW: 239 Submission River's Edge Park/Walking Trail 4629-4721 Vestal Parkway East

Good Morning,

Please see the 7 attachments and emails below for this project.

Sincerely,
Lora Zier
Senior Planner
Broome County Department of
Planning and Economic Development
Telephone: (607) 778-2114
Lora.Zier@BroomeCounty.US

From: Vernon Myers <vmyers@vestalny.com>
Sent: Tuesday, October 5, 2021 8:15 AM
To: Zier, Lora M. <Lora.Zier@BroomeCounty.US>
Cc: Lincoln Ellis <lellis@vestalny.com>
Subject: RE: 239 Submission River's Edge Park/Walking Trail 4629-4721 Vestal Parkway East

Below in red is my best answers at this time.

Vernon Myers, P.E.

Zier, Lora M.

From: Zier, Lora M.
Sent: Wednesday, October 6, 2021 1:33 PM
To: 'Vernon Myers'
Cc: Lincoln Ellis
Subject: BCT Comments FW: 239-2021-147 Vestal SP UV SUP Trail FW: 239 Submission River's Edge Park/Walking Trail 4629-4721 Vestal Parkway East

Vern:
Please see the email below from Gregory Kilmer for this project.

Sincerely,
Lora Zier
Senior Planner
Broome County Department of
Planning and Economic Development
Telephone: (607) 778-2114
Lora.Zier@BroomeCounty.US

From: Kilmer, Gregory B. <Gregory.Kilmer@BroomeCounty.US>
Sent: Wednesday, October 6, 2021 10:59 AM
To: Zier, Lora M. <Lora.Zier@BroomeCounty.US>; McCullen, Leigh A. <Leigh.McCullen@BroomeCounty.US>; Yonkoski, Jennifer L. <Jennifer.Yonkoski@BroomeCounty.US>; 'sean.murphy@dot.ny.gov' <sean.murphy@dot.ny.gov>; Gowe, Brenda L. <Brenda.Gowe@BroomeCounty.US>; Lavrinovich, Eduard V. <Eduard.Lavrinovich@BroomeCounty.US>; Boulton, Leslie G. <Leslie.Boulton@BroomeCounty.US>; Laine, Matthew J. <Matthew.Laine@BroomeCounty.US>
Cc: Sloan, Gillian S. <Gillian.Sloan@BroomeCounty.US>
Subject: RE: 239-2021-147 Vestal SP UV SUP Trail FW: 239 Submission River's Edge Park/Walking Trail 4629-4721 Vestal Parkway East

Lora,

BC Transit provides Fixed Route Transit Service within walking distance of the location. The proposed design will have minimal impact on Public Transportation. BC Transit has no objection to the project as presented.

Regards,

Greg Kilmer
Commissioner of Public Transportation

From: Zier, Lora M. <Lora.Zier@BroomeCounty.US>
Sent: Wednesday, October 6, 2021 10:35 AM
To: McCullen, Leigh A. <Leigh.McCullen@BroomeCounty.US>; Yonkoski, Jennifer L. <Jennifer.Yonkoski@BroomeCounty.US>; 'sean.murphy@dot.ny.gov' <sean.murphy@dot.ny.gov>; Gowe, Brenda L. <Brenda.Gowe@BroomeCounty.US>; Lavrinovich, Eduard V. <Eduard.Lavrinovich@BroomeCounty.US>; Boulton, Leslie G. <Leslie.Boulton@BroomeCounty.US>; Laine, Matthew J. <Matthew.Laine@BroomeCounty.US>; Kilmer, Gregory B. <Gregory.Kilmer@BroomeCounty.US>

Zier, Lora M.

From: Zier, Lora M.
Sent: Wednesday, October 13, 2021 9:34 AM
To: Vernon Myers
Cc: Lincoln Ellis
Subject: NYSDOT Comments FW: 239-2021-147 Vestal SP UV SUP Trail FW: 239 Submission River's Edge Park/Walking Trail 4629-4721 Vestal Parkway East
Attachments: 21-039 Rivers Edge Park and Walking Trail - Broome RL.pdf

Hello Vern:

Please see the email below from Sean Murphy and the attached NYSDOT comments that need to be addressed for this project.

Sincerely,
Lora Zier
Senior Planner
Broome County Department of
Planning and Economic Development
Telephone: (607) 778-2114
Lora.Zier@BroomeCounty.US

From: Murphy, Sean W. (DOT) <Sean.Murphy@dot.ny.gov>
Sent: Tuesday, October 12, 2021 5:15 PM
To: Zier, Lora M. <Lora.Zier@BroomeCounty.US>; McCullen, Leigh A. <Leigh.McCullen@BroomeCounty.US>; Yonkoski, Jennifer L. <Jennifer.Yonkoski@BroomeCounty.US>; Gowe, Brenda L. <Brenda.Gowe@BroomeCounty.US>; Lavrinovich, Eduard V. <Eduard.Lavrinovich@BroomeCounty.US>; Boulton, Leslie G. <Leslie.Boulton@BroomeCounty.US>; Laine, Matthew J. <Matthew.Laine@BroomeCounty.US>; Kilmer, Gregory B. <Gregory.Kilmer@BroomeCounty.US>
Cc: Sloan, Gillian S. <Gillian.Sloan@BroomeCounty.US>; Sperski, Rick (DOT) <Rick.Sperski@dot.ny.gov>; Phillips, Thomas D. (DOT) <Thomas.Phillips@dot.ny.gov>; Bump, Christopher (DOT) <Christopher.Bump@dot.ny.gov>; Niederriter, Cathy (DOT) <Cathy.Niederriter@dot.ny.gov>; Conn, Jamie (DOT) <Jamie.Conn@dot.ny.gov>; Newby, Jillian (DOT) <Jillian.Newby@dot.ny.gov>; Vergason, Scott (DOT) <Scott.Vergason@dot.ny.gov>
Subject: RE: 239-2021-147 Vestal SP UV SUP Trail FW: 239 Submission River's Edge Park/Walking Trail 4629-4721 Vestal Parkway East

Lora:

Please find the attached letter outlining the Regional Site Plan Committee's comments regarding the above proposal.

Thanks,

Sean Murphy
Regional GIS Coordinator/Regional Site Plan Review Coordinator/Primavera Technical Support

New York State Department of Transportation, Region 9
44 Hawley Street, Binghamton, NY 13901
(607) 772-7335 | Sean.Murphy@dot.ny.gov
www.dot.ny.gov



Department of Transportation

KATHY HOCHUL
Governor

MARIE THERESE DOMINGUEZ
Commissioner

BRIAN KELLY, P.E.
Acting Regional Director

October 12, 2021

Ms. Lora Zier, Senior Planner
Broome County Department of Planning and Economic Development
Edwin L. Crawford County Office Building
60 Hawley Street
P.O. Box 1766
Binghamton, New York 13901

Dear Ms. Zier:

**RE: SITE PLAN REVIEW – RIVER’S EDGE PARK & TRAIL
4629-4721 VESTAL PARKWAY EAST (NYS ROUTE 434)
TOWN OF VESTAL, BROOME COUNTY
NYSDOT CASE #21-039**

We have reviewed the materials for the above-referenced proposal. Please note the following comments:

- The applicant will be required to provide for the installation of all signal equipment required for this project, including signal heads, pedestrian signals and call buttons, and any other required hardware. Please direct the applicant to contact my office at 607-721-8080 regarding these requirements. Please also note that NYSDOT will be replacing this signal, and the applicant is encouraged to coordinate their installations as part of this replacement project.
- The applicant will be required to obtain a Highway Work Permit from NYSDOT prior to the commencement of any work within the State right-of-way, including signal work, driveway installation or removal, and sidewalk installation. Please direct the applicant to contact the NYSDOT Region 9 Permit Office at 607-721-8082 to apply for this permit.
- NYSDOT recommends that the parking area be situated on the west side of the entrance drive to better facilitate pedestrian access to the proposed crosswalk. However, the location proposed on the site plan may be acceptable, as it is connected by sidewalk to the future crosswalk.
- The crosswalk on the western leg of the intersection and pedestrian accommodations on the south side of the intersection will be constructed as part

of the upcoming NYS Route 434 Greenway project. The applicant will be required to construct a crosswalk on the future northern leg of the intersection, as well as curb ramps to both crosswalks. The applicant should update the site plan consistent with the Greenway project plans, which can be found at www.dot.ny.gov under project D264287.

- The crosswalk on the eastern leg of the intersection will not be constructed as part of the NYS Route 434 Greenway Project, nor will it be permitted for construction by the applicant. Therefore, it should be removed from the site plan. Additionally, we recommend the installation of landscaping or other crash-safe deterrents to discourage pedestrian crossings on the east side of the intersection.
- NYSDOT will require the applicant to construct a sidewalk along the site's entire frontage as a condition of the Highway Work Permit for this project. NYSDOT recommends that the applicant provide approximately five feet of snow storage between the sidewalk and the shoulder to preclude the required construction of closed drainage and curbing for sidewalks located immediately adjacent to the shoulder.
- All existing access points along the frontage other than the northern approach to the signal must be closed.
- No additional driveways to the site will be permitted from NYS Route 434 other than the proposed driveway at the University Plaza signal.

Please note that these comments are based on a preliminary review of this site plan, and a more detailed review will be completed during NYSDOT's Highway Work Permit application process. The applicant may contact the NYSDOT Region 9 Permit Office at 607-721-8082 or visit www.dot.ny.gov/permits for the details and requirements of this process.

If you have any other questions, or need further assistance, please contact Sean Murphy at 607-772-7335.

Sincerely,
Original signed by
Sean Murphy for

Tony Signorelli, P.E.
Regional Traffic Engineer